

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RANDY C. THOMPSON,

Plaintiff,

v.

CITY OF ASBURY PARK, et al.,

Defendants.

Civil Action No. 22-6040 (ZNQ) (RLS)

**PRETRIAL SCHEDULING
ORDER**

THIS MATTER having come before the Court for an Initial Scheduling Conference pursuant to Rule 16 of the Federal Rules of Civil Procedure on January 30, 2023; and the Court having conferred with counsel concerning the timing and scope of discovery; and for good cause shown,

IT IS on this **30th** day of **January 2023**, hereby

ORDERED that:

1. Each party shall serve no more than **25** interrogatories to another party;
2. Each party shall conduct no more than **10** depositions;
3. Any motion to amend the pleadings or join new parties must be with leave of Court and filed by no later than **July 31, 2023**;
4. Fact discovery shall be completed by no later than **October 2, 2023**. This deadline will not be extended absent a showing of good cause upon timely application;
5. Plaintiff's expert reports shall be served by no later than **November 1, 2023**;
6. Defendant's expert reports shall be served by no later than **January 31, 2024**;
7. The parties shall complete all expert discovery by no later than **April 1, 2024**;
8. Dispositive motions may be filed by no later than **December 1, 2023**. The parties are directed to review and comply with the assigned District Court Judge's judicial preferences in regards to any such motion; and it is further

ORDERED that a telephone status conference will be held before the undersigned on **June 7, 2023, at 2:30 p.m.** The Court shall provide dial-in information for the conference at a later date. **No later than three (3) business days prior to the telephone status conference, the parties shall submit a joint status letter to the Court via CM/ECF not to exceed three (3) pages, setting forth the status of discovery and identifying any issues ripe for discussion with the Court;** and it is further

ORDERED that counsel will confer in an attempt to resolve any discovery or case management disputes before making such dispute the subject of an application to the Court. Any such dispute shall be brought promptly to the Court's attention by joint letter in accordance with the undersigned's Civil Case Management Order. **No discovery motion or motion for leave to amend will be entertained absent leave of Court and counsels' full compliance with L. Civ. R. 37.1(a)(1); see also L. Civ. R. 16.1(f);** and it is further

ORDERED that a Settlement Conference will be conducted by the undersigned at the Clarkson S. Fisher Building & United States Courthouse, 402 East State Street, Trenton, New Jersey on **a date to be later set by the Court. Counsel and parties with full authority to settle the case are to be present.** The parties must exchange a demand and offer before the settlement conference. Any failure in this regard shall result in the imposition of sanctions; and it is further

ORDERED that five (5) business days before the Settlement Conference, each party is to submit to Chambers via email at rls_orders@njd.uscourts.gov a confidential letter, on an *ex parte* basis, not to exceed ten (10) double-spaced pages. The settlement memorandum shall: outline the party's respective position(s); identify information on what is important to the client and any barriers to settlement; identify the contemplated terms material to a settlement; and detail the demand(s) and offer(s) made to date; and it is further

ORDERED that a date for the final pretrial conference will be set at a later date; and it is further

ORDERED that counsel are further directed to meet together by agreement, initiated by Defendant's counsel no later than four (4) weeks before the date of the pretrial conference to:

- A. Discuss settlement;
- B. Stipulate to as many facts and issues as possible;
- C. Prepare a Final Pretrial Order in the form and content as required by the Court. Plaintiffs' counsel will prepare the Final Pretrial Order and will submit it to all other counsel for approval and execution. Counsel are responsible for the timely submission of the Final Pretrial Stipulation and Order;
- D. Examine all exhibits and documents proposed to be used at trial; and

E. Complete all other matters which may expedite both the pretrial and trial of the case; and it is further

ORDERED that appropriate markers shall be affixed to the exhibits at or prior to the time they are shown to opposing counsel at the meeting of the counsel referred to above, and each marker will bear the number of the exhibit to which it is affixed; and it is further

ORDERED that at the final pretrial conference counsel should be prepared to discuss settlement of the case. Persons with full settlement authority must attend the final pretrial conference, unless prior permission has been granted to participate by telephone; and it is further

ORDERED that because all dates set forth herein are established with the assistance and knowledge of the parties, **there will be no extensions except for good cause shown and by leave of Court, even with consent of all parties;** and it is further

ORDERED that the Court may, from time to time, schedule conferences as may be required, either on its own or at the request of counsel; and it is further

ORDERED that failure to appear at subsequent conferences, or to comply with any of the terms of this Order, may result in sanctions; and it is further

ORDERED that, pursuant to Local Civil Rule 16.1(b)(2), this Order shall be deemed to incorporate an order pursuant to Federal Rule of Evidence 502(d); and it is further

ORDERED that the parties shall review Local Civil Rule 73.1(a) regarding Civil Trials by Consent Before United States Magistrate Judges; and it is further

ORDERED that the parties are advised that the Court has various audio/visual and evidence presentation equipment available for use at trial at no cost to the Bar. This equipment includes an evidence presentation system, which consists of a document camera and a projector. The projector may be used to display images which originate from a variety of sources, including television, VCR and personal computer. The document camera may be used to display documents, photographs, charts, transparencies, and small objects. For further information, please contact the Courtroom Deputy Mark Morelli at (609) 989-0502; and it is further

ORDERED that counsel are invited to use the George H. Barlow Attorney Conference Room located on the third floor of the Courthouse Annex. The room is equipped with telephones, laptop access/printer, copier, and fax.

SO ORDERED.

s/Rukhsanah L. Singh
RUKHSANAH L. SINGH
UNITED STATES MAGISTRATE JUDGE